



0000101078

OPEN MEETING AGENDA ITEM

51

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
AGUA CALIENTE SOLAR, LLC, IN
CONFORMANCE WITH THE REQUIREMENTS OF
ARIZONA REVISED STATUTES 40-360.03 AND
40-360.06, FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF THE AGUA
CALIENTE SOLAR PROJECT, A 280 MW
PARABOLIC TROUGH CONCENTRATING SOLAR
THERMAL, OR A 425 MW PHOTOVOLTAIC
SOLAR, GENERATING FACILITY AND
ASSOCIATED TRANSMISSION LINE
INTERCONNECTING THE GENERATING
FACILITY TO THE ADJACENT PALO VERDE
- NORTH GILA #1 500KV TRANSMISSION LINE IN
YUMA COUNTY APPROXIMATELY 10 MILES
NORTH OF DATELAND, ARIZONA.

) Docket No. L-00000JJ-09-0279-00145
) Case No. 145

RECEIVED
2009 JUL 28 P 2:43
AZ CORP COMPLAINT
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY, IN
CONFORMANCE WITH THE REQUIREMENTS OF
ARIZONA REVISED STATUTES 40-360.03 AND 40-
360.06, FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF THE APS Q43
500KV TRANSMISSION LINE AND SWITCHYARD
INTERCONNECTION PROJECT AND
ASSOCIATED FACILITIES INTERCONNECTING
TO THE PALO VERDE - NORTH GILA #1 AND
FUTURE PALO VERDE - NORTH GILA #2 500KV
TRANSMISSION LINES APPROXIMATELY 10
MILES NORTH OF DATELAND, ARIZONA
(SECTION 34, T5S, R12W, G&SRB&M, YUMA
COUNTY, ARIZONA)

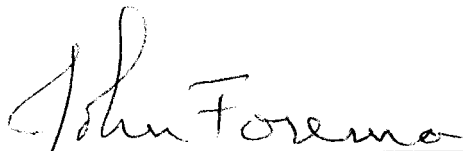
) Docket No. L-00000D-09-0280-00146
) Case No. 146

**NOTICE OF FILING E-MAIL
COMMUNICATION**

Arizona Corporation Commission
DOCKETED
JUL 28 2009
DOCKETED BY [signature]

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications, pertaining to this case, that have occurred between the Committee Members involved and the Chairman, or his staff, up to this date, since the previous filing on July 21, 2009.

1 DATED: July 28, 2009

2
3 
4

5 John Foreman, Chairman
6 Arizona Power Plant and Transmission
7 Line Siting Committee
8 Assistant Attorney General
9 john.foreman@azag.gov

10 Pursuant to A.A.C. R14-3-204,
11 The Original and 25 copies were
12 filed July 28, 2009 with:

13 Docket Control
14 Arizona Corporation Commission
15 1200 W. Washington St.
16 Phoenix, AZ 85007

17
18 Copy of the above was mailed
19 this 28th day of July, 2009 to:

20 Nancy Scott
21 Janice Alward, Chief Counsel
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, AZ 85007
25 Counsel for Legal Division Staff

26 Jay Moyes
Moyes, Sellers & Sims
1850 North Central Avenue
Suite 1100
Phoenix, AZ 85004
Counsel for Applicant, Agua Caliente Solar

Thomas H. Campbell, Esq.

1 Lewis and Roca, LLP
2 Two Renaissance Square
3 40 North Central Avenue
4 Phoenix, AZ 85004
5 Counsel for Applicant, APS

6 Marta T. Hetzer
7 Arizona Reporting Service, Inc.
8 2200 North Central Avenue
9 Phoenix, Arizona 85004-1481
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14 Jara Williams
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From: Tara Williams
To: Doorenbos, Billie; Eberhart, David; Houtz, Gregg; Marshall, Brenda; ...
Date: 7/27/2009 8:49 AM
Subject: #145 CEC
Attachments: 145 CEC no Notice.pdf

Committee Members,

I have attached the CEC, signed by the Chairman and filed on Friday, for Agua Caliente's case #145.
Please let me know if you have any questions.

In order to avoid any potential question about an Open Meetings Law violation, please do not reply to any of the recipients of this e-mail except the sender.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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1 **BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE**
2 **SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION)
4 OF AGUA CALIENTE SOLAR, LLC, IN)
5 CONFORMANCE WITH THE REQUIREMENTS)
6 OF ARIZONA REVISED STATUTES 40-360.03)
7 AND 40-360.06, FOR A CERTIFICATE OF)
8 ENVIRONMENTAL COMPATIBILITY)
9 AUTHORIZING CONSTRUCTION OF THE)
10 AGUA CALIENTE SOLAR PROJECT,)
11 A 280 MW PARABOLIC TROUGH)
12 CONCENTRATING SOLAR THERMAL, OR A)
13 425 MW PHOTOVOLTAIC SOLAR, GENERA-)
TING FACILITY AND ASSOCIATED TRANS-)
MISSION LINE INTERCONNECTING THE)
GENERATING FACILITY TO THE ADJACENT)
PALO VERDE - NORTH GILA #1 500KV)
TRANSMISSION LINE IN YUMA COUNTY)
APPROXIMATELY 10 MILES NORTH OF)
DATELAND, ARIZONA.)

Docket No. L-00000JJ-0279-00145

Case No. 145

Decision No. _____

14 **CERTIFICATE OF ENVIRONMENTAL COMPATABILITY**

15 Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line
16 Siting Committee (the "Committee") held public hearings on July 21 and 22, 2009, in conformance
17 with the requirements of Arizona Revised Statutes ("A.R.S.") §§ 40-360, *et seq.*, for the purpose of
18 receiving evidence and deliberating on the Application of Agua Caliente Solar, LLC ("Applicant")
19 for a Certificate of Environmental Compatibility ("Certificate") in the above-captioned case No. 145
20 (the "Project").

21 The following members and designees of members of the Committee were present at the
22 hearings for the evidentiary presentations and for the deliberations:
23

24 John Foreman	Chairman, Designee for Arizona Attorney General 25 Terry Goddard
26 Paul Rasmussen	Designee for Director, Arizona Department of 27 Environmental Quality
28 Gregg Houtz	Designee for Director, Arizona Department of Water Resources

1	Jessica Youle	Designee for Director, Energy Office, Arizona Department of Commerce
2		
3	David Eberhart	Designee for Chairman, Arizona Corporation Commission
4	William Mundell	Appointed Member
5	Jeff McGuire	Appointed Member
6	Patricia Noland	Appointed Member
7	Michael Palmer	Appointed Member
8	Michael Whalen	Appointed Member
9		
10	Barry Wong	Appointed Member

11 Applicant was represented by Jay Moyes of Moyes Sellers & Sims, Ltd. There were no
 12 intervenor parties; however, Arizona Public Service Company, as applicant in Case No. 146, a
 13 consolidated matter, was represented by Thomas H. Campbell of Lewis & Roca LLP.

14 At the conclusion of the hearings, the Committee, having received the Application, the
 15 appearances of the parties, the evidence, testimony, and exhibits presented at the hearings, and
 16 being advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13, upon motion duly made
 17 and seconded, voted 11 to 0 to grant Applicant this Certificate of Environmental Compatibility for
 18 the Agua Caliente Solar Project (Case No. 145). The Committee acknowledges that the Applicant
 19 has proposed that the Project utilize either one or the other of two solar technology options:

- 20 (1) an approximately 280 Megawatt ("MW") concentrating solar thermal electric
 21 generating plant (the "CSP Option"), or,
- 22 (2) an up to approximately 485 MW photovoltaic solar electric generating plant (the
 23 "PV Option").

24 Pursuant to the jurisdiction of the Committee over the proposed CSP Option, expressly granted
 25 under A.R.S. § 40-360 (9), this Certificate expressly authorizes, but does not mandate, construction
 26 of the CSP Option on the Project Site.

27 The Project, under either the CSP Option or the PV Option, also includes an associated
 28 500kV generation intertie ("Gen-Tie") transmission line up to approximately two-miles in length,
 all to be constructed within an approximately 2400-acre Project Site, which lies within the

1 approximately 3800-acre agricultural property commonly known as the Whitewing Ranch. The
2 Project Site comprises all or portions of Sections 16, 21, 22, 27, 28 and 34 of Township 5 South
3 Range 12 West, G&SRB&M, and is located approximately 10 miles northeast of Dateland, Yuma
4 County, Arizona
5

6 CONDITIONS

7 This Certificate is granted upon the following conditions:

- 8 1. Applicant, or its assignee(s), shall obtain all required approvals and permits necessary to
9 construct the Project.
- 10 2. Applicant, or its assignee(s), shall comply with all existing applicable ordinances,
11 master plans, county comprehensive plans, and regulations of the State of Arizona, the
12 Yuma County, the United States, and any other governmental entities having
13 jurisdiction over the construction and operation of the Project.
- 14 3. This authorization to construct the Project shall expire seven years from the date the
15 Certificate is approved by the Commission; provided, however, that prior to such
16 expiration Applicant or its assignees may request that the Commission extend this time
17 limitation.
- 18 4. In the event that the Project requires an extension of the term of this Certificate,
19 Applicant, or its assignee(s), shall use commercially reasonable means to directly notify
20 by first class mail all landowners and residents within one mile of the Project Site, and all
21 persons who made public comment at this proceeding, of the date, time and place of the
22 proceeding in which the Commission shall consider such request for extension.
- 23 5. Applicant, or its assignee(s), will provide to the Commission Staff copies of the Project's
24 executed interconnection agreement with the transmission owners, and the technical
25 operating studies that will be performed prior to actual physical interconnection of the
26 Project to the transmission system.
- 27 6. Applicant, or its assignee(s), or its affiliate company, or its customer will become a member
28 of the Western Electricity Coordinating Council ("WECC") (or its successor), and will file
with the Commission Docket Control a copy of its executed WECC Membership
Agreement.

- 1 7. During the construction and maintenance of the Project, to the extent applicable,
2 Applicant, or its assignee(s), will use existing roads for access, and to the extent
3 applicable, taking into the account that the Project Site lies within a cultivated
4 agricultural area, minimize impacts to wildlife and vegetation on the Project Site.
- 5 8. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical site or
6 object that is at least fifty years old is discovered on state, county or municipal land
7 during Project-related activities, the person in charge shall promptly report the discovery
8 to the Director of the Arizona State Museum, and in consultation with the Director, shall
9 immediately take all reasonable steps to secure and maintain the preservation of the
10 discovery. If human remains and/or funerary objects are encountered on private land
11 during the course of any ground-disturbing activities relating to the development of the
12 subject property, Applicant shall cease work on the affected area of the Project and
13 notify the Director of the Arizona State Museum pursuant to A.R.S. § 41-865
- 14 9. Within 120 days of the Commission decision granting this Certificate, Applicant, or its
15 assignee(s), will erect and maintain at the site a sign of not less than 4 feet by 8 feet
16 dimensions, advising:
17 (a) that the site has been approved for the construction of the Project facilities;
18 (b) The expected date of completion of the Project facilities;
19 (c) A phone number for public information regarding the Project;
20 (d) The name of the Project;
21 (e) The name of the Applicant or its assignee(s); and
22 (f) The website of the Project.
- 23 10. In connection with the construction of the Project, Applicant, or its assignee(s), shall use
24 commercially reasonable efforts, where feasible, to give due consideration to use of
25 qualified Arizona contractors.
- 26 11. Applicant, or its assignee(s), shall provide copies of this Certificate to the Yuma County
27 Department of Development Services, the Arizona State Land Department, the State Historic
28 Preservation Office, and the Arizona Game and Fish Department.
12. Prior to the date construction commences on the Project, Applicant, or its assignee(s), will
provide known homebuilders and developers of record within one mile of the Project the
identity, location, and a pictorial depiction of the type of power plant being constructed,
accompanied by a written description, and encourage the developers and homebuilders to

1 include this information in the developers' and homebuilders' homeowners' disclosure
2 statements.

3 13. Applicant, or its assignee(s), shall file with Commission Docket Control confirmation of the
4 completion of system upgrades required under the interconnection agreement at least thirty
5 days before commercial operation of the Project.

6 14. Applicant, or its assignee(s), shall comply with the most current Western Electricity
7 Coordinating Council/North American Electric Reliability Corporation Planning standards as
8 approved by the Federal Energy Regulatory Commission, and National Electrical Safety
9 Code construction standards.

10 15. Applicant, or its assignee(s), shall submit a self-certification letter annually, identifying
11 progress made with respect to each condition contained in the Certificate, including which
12 conditions have been met. Each letter shall be submitted to the Commission Docket Control
13 on December 1, beginning in 2011. Attached to each certification letter shall be
14 documentation explaining how compliance with each condition was achieved. Copies of
15 each letter along with the corresponding documentation shall be submitted to the Arizona
16 Attorney General and Department of Commerce Energy Office. The requirement for the
17 self-certification shall expire on the date the Project is placed into operation.

18 16. If Applicant selects the CSP Project technology, Applicant, or its assignee(s), shall submit by
19 March 31, on an annual basis commencing on the first March 31 following commercial
20 operation of the Project, a report to the Commission Docket Control and the Arizona
21 Department of Water Resources that identifies the amount of water used for operation of the
22 Project in the previous calendar year.

23 17. Applicant, or its assignees(s), shall design the Gen-Tie transmission line to incorporate
24 reasonable measures to minimize impacts to raptors.

25 18. Applicant, or its assignee(s), shall use non-specular conductor and dulled surfaces for
26 the Gen-Tie transmission line structures.
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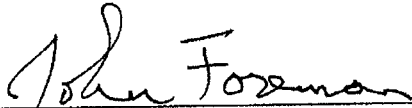
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9. In light of these conditions, the balancing in the broad public interest results in favor of granting the Certificate.

THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

July 29, 2009



Hon. John Foreman, Chairman

From: Tara Williams
To: Doorenbos, Billie; Eberhart, David; Houtz, Gregg; Marshall, Brenda; ...
Date: 7/27/2009 4:11 PM
Subject: #146 CEC
Attachments: 146 CEC No Notice.pdf

I have attached the CEC for case #146. Both this CEC and the CEC for #145 were filed together today with the Corporation Commission.

In order to avoid any potential question about an Open Meetings Law violation, please do not reply to any of the recipients of this e-mail except the sender.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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1 **BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE**
2 **SITING COMMITTEE**

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4 IN THE MATTER OF THE APPLICATION OF) Docket No. L-00000D-09-0280-00146
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6 CONFORMANCE WITH THE REQUIREMENTS OF) Case No. 146
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10 AUTHORIZING CONSTRUCTION OF THE APS Q43) Decision No. _____
11 500KV TRANSMISSION LINE AND SWITCHYARD)
12 INTERCONNECTION PROJECT AND)
13 ASSOCIATED FACILITIES INTERCONNECTING)
14 TO THE PALO VERDE - NORTH GILA #1 AND)
15 FUTURE PALO VERDE - NORTH GILA #2 500KV)
16 TRANSMISSION LINES APPROXIMATELY 10)
17 MILES NORTH OF DATELAND, ARIZONA)
18 (SECTION 34, T5S, R12W, G&SRB&M, YUMA)
19 COUNTY, ARIZONA))
20 _____)

21
22
23 **CERTIFICATE OF ENVIRONMENTAL COMPATABILITY**

24 Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line
25 Siting Committee (the "Committee") held public hearings on July 21, and 22, 2009, in conformance
26 with the requirements of Arizona Revised Statutes ("A.R.S.") §§ 40-360, et seq., for the purpose of
27 receiving evidence and deliberating on the Application of Arizona Public Service Company
28 ("Applicant") in conjunction with San Diego Gas and Electric Company, as co-applicant, for a
Certificate of Environmental Compatibility ("Certificate") in the above-captioned case (the
"Project").

The following members and designees of members of the Committee were present at the
hearings for the evidentiary presentations and for the deliberations:

John Foreman	Chairman, Designee for Arizona Attorney General Terry Goddard
Paul Rasmussen	Designee for Director, Arizona Department of Environmental Quality

1	Gregg Houtz	Designee for Director, Arizona Department of Water Resources
2	Jessica Youle	Designee for Director, Energy Office, Arizona Department of
3		Commerce
4	David Eberhart	Designee for Chairman, Arizona Corporation Commission
5	William Mundell	Appointed Member
6	Jeff McGuire	Appointed Member
7	Patricia Noland	Appointed Member
8	Michael Palmer	Appointed Member
9	Michael Whalen	Appointed Member
10	Barry Wong	Appointed Member
11		

12
13 The Applicant was represented by Thomas H. Campbell of Lewis and Roca LLP. Agua
14 Caliente Solar, L.L.C., an applicant in Line Siting Case No. 145, a consolidated matter, was
15 represented by Jay Moyes of Moyes, Sellers & Sims.

16 At the conclusion of the hearing, the Committee, having received the Application, the
17 appearance of the Applicant, the evidence, testimony and exhibits presented at the hearing, and being
18 advised of the legal requirements of A.R.S. §§ 40-360 to 40-360.13, upon motion duly made and
19 seconded, voted 11 to 0 to grant the Applicant this Certificate of Environmental Compatibility (Case
20 No. 146) for the Project.

21 The Project as approved consists of a series of proposed 500kV transmission lines and a new
22 regional switchyard that will initially connect the solar project proposed by Agua Caliente Solar
23 L.L.C. (Case No. 145), to the existing Palo Verde-North Gila No. 1 500kV transmission line (ACC
24 Decision No. 52428). The Project will be designed to accommodate the future interconnection of the
25 planned Palo Verde-North Gila No. 2 500kV transmission line (ACC Decision No. 70127), a future
26 500kV/69kV substation, and other related transmission facilities.

27 The Project will be located on a portion of a 3,800 acre private agricultural property referred
28 to as the "Whitewing Ranch" (Property) in the northwest corner of Section 34, T5S, R12W,

1 G&SRBM, Yuma County, Arizona, plus some additional private land that extends south of the
2 Property to a point 200 feet south of the Palo Verde to North Gila No. 1 centerline. The substation
3 site is located just north of Palomas Road (also referred to as Palomas/Hyder Road) and will occupy
4 approximately 30 acres of the Property. Each interconnection line will be within a separate 200 foot
5 right-of-way. All interconnection lines will be in rights of way within a corridor. The corridor length
6 extends southwest for 5,875 feet from the point where the eastern boundary of the Property intersects
7 the Union Pacific Railroad. The 2,200 foot width includes the 2,000 foot corridor approved in
8 Decision No. 70127 for the Palo Verde to North Gila No. 2 transmission line, plus 200 feet south of
9 the centerline of the Palo Verde to North Gila No. 1 transmission line. A general location map of the
Project is set forth in Exhibit A.

10 CONDITIONS

11 This Certificate is granted upon the following conditions:

- 12 1. The Applicant shall obtain all required approvals and permits necessary to construct the
13 Project.
- 14 2. The Applicant shall comply with all existing applicable statutes, ordinances, master
15 plans and regulations of the State of Arizona, the County of Yuma, the United States, and any
16 other governmental entities having jurisdiction.
- 17 3. This authorization to construct the facilities necessary to interconnect the proposed
18 Agua Caliente solar project (Case #145) shall expire in 7 years. The authorization to
19 construct the remainder of the facilities associated with this Project shall expire fifteen (15)
20 years from the date the Certificate is approved by the Commission. However, prior to
21 expiration, the Applicant or its assignees may request that the Commission extend this time
limitation.
- 22 4. The Applicant shall make every reasonable effort to identify and correct, on a case-
23 specific basis, all complaints of interference with radio signals from operation of the
24 transmission lines and related facilities addressed in this Certificate. The Applicant shall
25 maintain written records for a period of five years of all complaints of radio interference
26 attributable to operation, together with the corrective action taken in response to each
27 complaint. All complaints shall be recorded to include notations on the corrective action
28 taken. Complaints not leading to a specific action or for which there was no resolution shall
be noted and explained.

1 5. To the extent applicable, the Applicant shall comply with the notice and salvage
2 requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901, et seq.) and shall, to the
3 extent feasible, minimize the destruction of native plants during Project construction.

4 6. Pursuant to A.R.S. § 41-844, if any archaeological, paleontological or historical site or
5 object that is at least fifty years old is discovered on state, county or municipal land during
6 plan-related activities, the person in charge shall promptly report the discovery to the Director
7 of the Arizona State Museum, and in consultation with the Director, shall immediately take all
8 reasonable steps to secure and maintain the preservation of the discovery. If human remains
9 and/or funerary objects are encountered during the course of any ground-disturbing activities
10 relating to the development of the subject property, Applicant shall cease work on the affected
11 area of the Project and notify the Director of the Arizona State Museum, pursuant to A.R.S. §
12 41-865, and any appropriate federal agency.

13 7. The Applicant shall design the transmission lines to incorporate reasonable measures to
14 mitigate impacts to raptors.

15 8. The Applicant shall use non-specular conductor and dulled surfaces for transmission
16 line structures.

17 9. In the event that the Project requires an extension of the term of this Certificate,
18 Applicant shall use reasonable means to notify all landowners and residents within one mile
19 of the Project corridor, all persons who made public comment at this proceeding, and all
20 parties to this proceeding of the request and the time and place of the hearing in which the
21 Commission will consider the request for extension.

22 10. Before construction on this Project may commence, the Applicant must file a
23 construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where
24 practicable, the Plan shall specify that the Applicant use existing roads for construction and
25 access, minimize impacts to wildlife, minimize vegetation disturbance outside of the Project
26 right-of-way, and revegetate, unless waived by the landowner, native areas following
27 construction disturbance.

28 11. The Applicant shall provide copies of this Certificate to the Yuma County Department
of Development Services, the State Historic Preservation Office, the Arizona State Land
Department and the Arizona Game and Fish Department.

1 12. Applicant will follow the latest Western Electricity Coordinating Council/ North
2 American Electric Reliability Corporation Planning standards as approved by the Federal
3 Energy Regulatory Commission, and National Electrical Safety Code construction standards.

4 13. Within 120 days of the Commission decision granting this Certificate, Applicant will
5 post signs in public rights-of-way giving notice of the project corridor to the extent authorized
6 by law. The Applicant shall place signs in prominent locations at reasonable intervals such
7 that the public is notified along the full length of the transmission line until the transmission
8 structures are constructed. To the extent practicable, within 45 days of securing easement or
9 right-of-way for the Project, the Applicant shall erect and maintain a sign providing public
10 notice that the property is the site of a future transmission line. Such signage shall be at least
11 four feet by eight feet in size. The sign shall advise:

- 12 (a) That the site has been approved for the construction of Project facilities;
- 13 (b) The expected date of completion of the Project facilities;
- 14 (c) A phone number for public information regarding the Project;
- 15 (d) The name of the Project;
- 16 (e) The name of the Applicant; and
- 17 (f) The website of the Project.

18 14. With respect to the Project, Applicant shall participate in good faith in state and
19 regional transmission study forums to coordinate transmission expansion plans related to the
20 Project and to resolve transmission constraints in a timely manner.

21 15. Prior to the date construction commences on this Project, the Applicant shall provide
22 known homebuilders and developers within one mile of the center line of the certificated
23 route the identity, location, and a pictorial depiction of the type of power line being
24 constructed, accompanied by a written description, and encourage the developers and
25 homebuilders to include this information in the developers' and homebuilders' homeowners'
26 disclosure statements.

27 16. The Applicant shall submit a self-certification letter annually, identifying progress
28 made with respect to each condition contained in the Certificate, including which conditions
have been met. Each letter shall be submitted to ACC Docket Control on December 1
beginning in 2010. Attached to each certification letter shall be documentation explaining
how compliance with each condition was achieved. Copies of each letter along with the
corresponding documentation shall be submitted to the Arizona Attorney General and

1 Department of Commerce Energy Office. The requirement for the self-certification shall
2 expire on the date the Project is placed into operation.

3
4 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

5 1. The Project is in the public interest because it aids the state in meeting the need for an
6 adequate, economical and reliable supply of electric power.

7 2. In balancing the need for the Project with its effect on the environment and ecology of
8 the state, the conditions placed on the CEC by the Committee effectively minimize its impact
9 on the environment and ecology of the state.

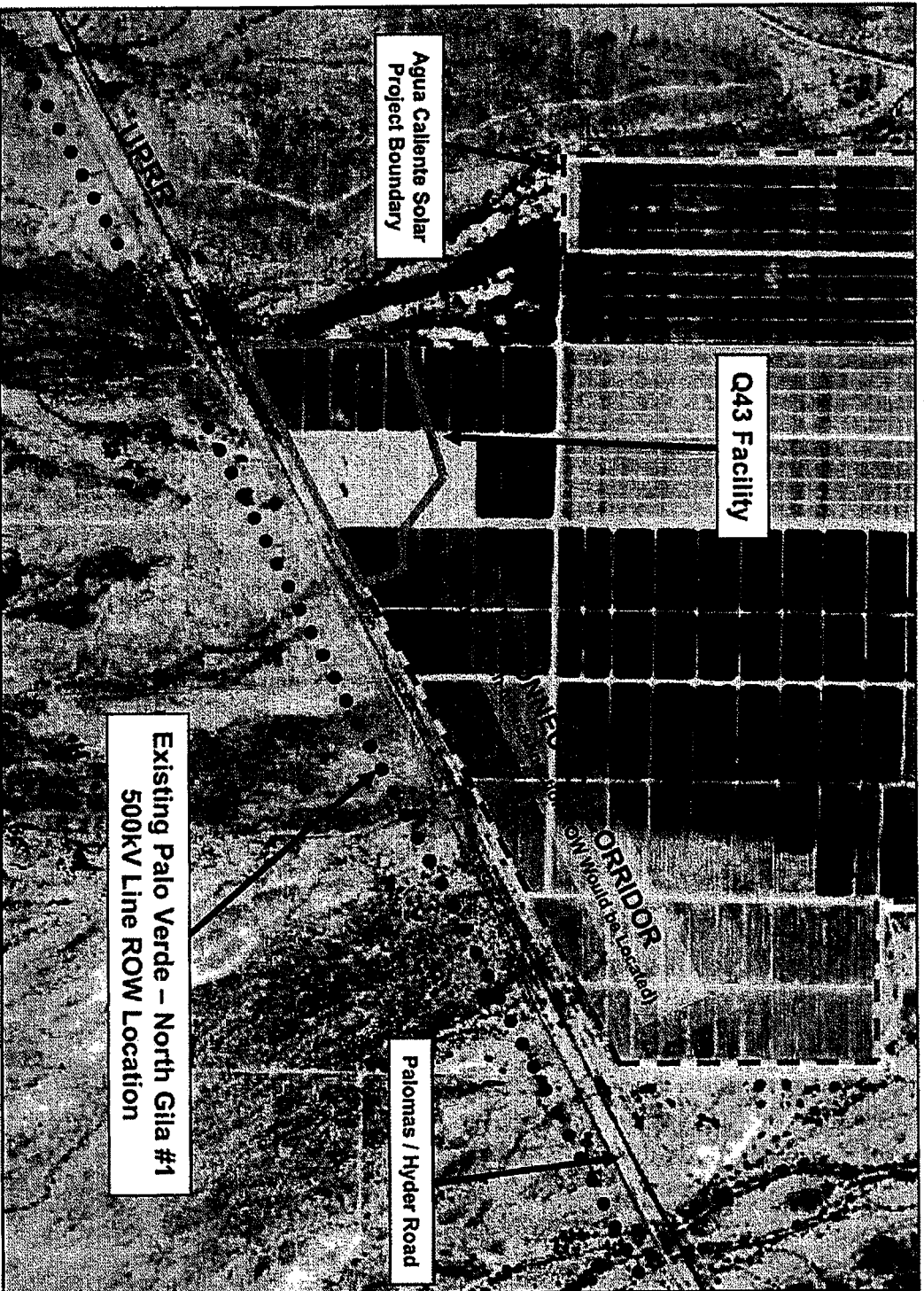
10 3. The conditions placed on the CEC by the Committee resolve matters concerning the
11 need for the Project and its impact on the environment and ecology of the state raised during
12 the course of proceedings, and as such, serve as the findings on the matters raised.

13 4. In light of these conditions, the balancing in the broad public interest results in favor of
14 granting the CEC.

15
16 DATED: July 27, 2009

17
18 THE ARIZONA POWER PLANT AND
19 TRANSMISSION LINE SITING COMMITTEE

20 
21 _____
22 Hon. John Foreman, Chairman
23
24
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Interconnection Area of Detail

Exhibit A